

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**

JOSEPH S. McGREAL,)	
)	
Plaintiff,)	
)	
v.)	Case No. 12 cv 05135
)	
THE VILLAGE OF ORLAND PARK, an Illinois)	
Municipal Corporation and a body politic, and)	
Chief of Police TIMOTHY McCARTHY,)	
Individually, and Patrol Commander)	Hon. Joan Humphrey Lefkow,
THOMAS KENEALY, individually, and)	Judge Presiding.
Police Lieutenant PATRICK DUGGAN,)	
Individually, and Police Lieutenant)	Hon. Sidney I. Schenkier,
JOSEPH MITCHELL, individually, and Sergeant)	Magistrate Judge.
ANTHONY FARRELL, individually, and)	
Sergeant SCOTT MALMBORG, individually, and)	JURY TRIAL DEMANDED
Lieutenant JAMES BIANCHI, individually,)	
)	
Defendants.)	

**JOINT MOTION TO VOLUNTARILY DISMISS
CERTAIN DEFENDANTS WITH PREJUDICE**

Now come the Plaintiff, JOSEPH S. McGREAL, by and through his attorneys, John P. DeRose and Caitlyn F. DeRose of John P. DeRose & Associates, and Defendant THOMAS KENEALY, by and through his attorneys Michael William Condon of Hervas, Condon & Bersani, P.C., and Defendant JOSEPH MITCHELL, by and through his attorneys, James J. Convery, Joseph M. Gagliardo, and Gregory R. James, Jr. of Laner Muchin, Ltd., and Defendants ANTHONY FARRELL and SCOTT MALMBORG, by and through their attorneys, Jason A. Guisinger, Lance C. Malina, and James W. Fessler of Klein, Thorpe and Jenkins, Ltd. and jointly move, acknowledge, and agree that after discovery taken in the above-captioned cause, the case against these certain individually named defendants should be dismissed with

prejudice. After consultation by counsel with their respective clients in the above-captioned cause, an agreement has been reached that the parties will bear their own costs, expenses, and attorney fees.

WHEREFORE, Plaintiff Joseph S. McGreal, Defendant Thomas Kenealy, Defendant Joseph Mitchell, Defendant Anthony Farrell, and Defendant Scott Malmborg move this Honorable Court to enter an order dismissing the above-captioned cause against these certain named defendants with prejudice, with each party to bear his own costs, expenses, and attorney fees.

IT IS SO MOVED, ACKNOWLEDGED, AND AGREED:

/s/John P. DeRose
Attorney for Joseph S. McGreal
John P. DeRose & Associates
15 Spinning Wheel Road
Suite 428
Hinsdale, IL 60521
(630) 920-1111 office
john@johnderoselaw.com

/s/ Michael William Condon
Attorney for Thomas Kenealy
Hervas, Condon & Bersani, P.C.
333 Pierce Road
Suite 195
Itasca, IL 60143
(630) 773-4774 office
mcondon@hcbattorneys.com

/s/James J. Convery
Attorney for Joseph Mitchell
Laner Muchin, Ltd.
515 N. State Street
Suite 2800
Chicago, IL 60654
(312) 467-9800 office
jconvery@lanermuchin.com

/s/ Jason A. Guisinger
Attorney for Anthony Farrell and Scott Malmborg
Klein, Thorpe and Jenkins, Ltd.
20 North Wacker Drive
Suite 1660
Chicago, IL 60606
(312) 984-6400 office
jaguisinger@ktjlaw.com